Jackson

JFK assassination records searches; motorcade; Dallas Police Officers James M. Chaney and D.L. Jackson

Ten months ago, based on records I had to then been able to locate, I filed an appeal relating to the information possessed by Officer Chaney. Because of the relevance in C.A. 78-0322 I referred to it in the caption, which also referred to withholding by dirty tricks. Thereafter, as I found other records, I filed several more appeals. These include the withholding of SA names where there is no real privacy question.

Since then I have located other, scattered but related records. Because of the FBI's manner of referring to earlier records the withheld names became absolutely essential for another reason, which is that without them there can be no certainty that the referred-to record can be identified, or distinguished from other records.

These more recently located records refer to information the existence of which is established but is not provided or included in the records themselves. At the same time the records I have located do not state that the FBI obtained the obviously significant information or that it refused to obtain this information.

If taken at face value these records make it clear that the FBI failed to investigate the assassination itself at the time of the crime, refused to conduct a real investigation when inquiry into what was ignored was forced in 1975, and that since then the FBI has persisted in its refusal to investigate basic facts of the crime itself.

If for FOIA purposes not having a copy of an existing records is an absolute defense against an allegation of withholding, in this case not having the relevant information means that the FBI did not do its job and I therefore do not make that assumption. Not making that assumption I appeal withholding of the information referred to, particularly the contemporaneous notes of his personal observations relating to the crime by Officer Jackson, who was escorting President Kennedy and was close to him at the time of the crime.

Interviews of policemen not interviewed at the time of the crime were directed by HQ. Copies of teletypes and FD302s (the latter as much as a month later) are provided. Copies of the notes of the interviewing SA SAs, whose names are withheld (appealed) are not provided. They should exist in the Dallas files, which are at issue in C.A. 78-0322.

There is a normal presumption that an interviewer takes notes during and perhaps following the interview, a presumption strengthened when the interview is ordered by FBIHQ. In these cases the nature of the information provided and the length of the documents appear to leave no doubt that there have to be notes of the interviews. Or tape recordings.

Some months ago, because of the importance I attribute to the matter, I provided you with details relating to what Officer Chaney saw and had said. Before finding these other records I informed you that I have his own recorded voice representing his personal account of some of his observations. I now find that some of the FBI's representations are not in accord with the personal observations recorded contemporaneously by Officer Chaney.

There is internal inconsistency in the FBI's representations, as in quoting Officer Chaney as looking to his left when he heard the first sound, thinking it was a backfire of a motorcycle to his left, while at the same time also representing that he stated that he was certain all the sounds came from behind him.

As I informed you earlier FBI reporting that it had never interviewed Officer Chaney was not truthful; that in fact it had interviewed him, but not about the crime to which he was a close and professional witness. When the FBI was forced to interview Chaney about the crime in 1975 he informed it about Officer Jackson and his notes. Officer Jackson's notes are not provided. Thereafter, from street agents in Dallas through the FBIHQ hierarchy there was no question asked (from the records provided) about either these notes or the large number of policemen at the scene of the crime until Director Kelley added a note asking about the number of policemen not interviewed.

The memo to which Director Kelley added his question recommends that there be no further inquiry because, allegedly, none had cast any doubt on the conclusions of the Warren Commission – for all the world as though the FBI itself had not reached any conclusions, as indeed it had in the report ordered by the President prior to creation of the Commission. This self-serving memo is not factual with regard to the information provided by Chaney and Jackson, both of whom provided information not in accord with what the Commission's Report states. But this is what reached the Director in 1975.

[illegible] [illegible] which the information asked for by the Director is reported (Serial [illegible]) the facts reported are that counting the motorcycle on both sides of the Presidential limousine and those immediately before and immediately after it there were 10. Of these 10 not one had been interviewed by the FBI about the crime. Then in 1975 two were and the FBI cut it off there.

To me this is incredible, which is why I began by saying I am not willing to believe that the FBI doesn't know the FBI's business or refused to investigate the basic facts of such a crime. It also is not easy for me to believe that FBIHQ would not or did not understand this and would not or did not direct that in some form or at some time a proper inquiry be made. I therefore believe that there should be and that somewhere there are additional records.

With this kind of situation the withholding of the name of the reporting SA, appealed 10 months ago, when I said I believe the agent was Charles T Brown, serves an interest other than in protecting his non-existing privacy, his name having been disclosed early, in the records made available through the Commission. An obvious purpose is obfuscation. Another may be to cover up or hide something. In any event, subsequently the processors slipped up. They failed to withhold his name in a second copy of the same record. One is [illegible], the other is 62-109060-7257.

(I also suggest that this is one of the real reasons for use of the "previously processed" device, as a means of continuing to cover improper and unjustifiable withholdings.)

Checking through the various files in each of which inclusion of these records is appropriate is a time-consuming task. Temporarily I do not have the copies I have made in my immediate possession and therefore do not cite them by number. However, copies are attached. They are from three different files, not counting missing attachments.

What is said to be attached to the Cooke to Gallagher memo of 9/12/75, Serial 7251 or 7256, is not attached. Searching for and trying to identify them also is time consuming. If as I believe I do I remember any correctly it states the official interpretation, that all questions about the crime were wiped out and the nation must be led to believe there was a lone-nut assassin. It is by the then Deputy Attorney General. He also believed the FBI's work was too "pat" and thus subject to questioning.

This, of course, may explain why the attachments are not attached in the copies provided to me. Notations that may have been added also are thus withheld.

The records appear to be 62-109060, Section 18, Serial~~s~~ 1330, which consists of the two documents attached.

With the history of my requests and litigation in mind I draw your attention to the policy stated by the Deputy, that there should be a "statement that all the facts will be made public property."